

- Application No. 10/723,487
Amendment dated February 28, 2005
Reply to Office Action of November 30, 2004

REMARKS/ARGUMENTS

Upon entry of this Amendment, Claims 1, 3, 4, 7-18, 35, 36, 38, 39-41, 44 and 45 will be pending in the application.

By the present Amendment, independent Claim 1 has been amended to more clearly recite that the caddy for supporting a weapon comprises a coupling between the mounting bracket and the base member which permits both sliding and rotating movement between the mounting bracket and the base member.

Dependent Claims 2, 5 and 6 have been canceled, and dependent Claim 4 has been amended to conform with the language of Claim 1 from which it depends.

Claims 19-34 have been canceled.

Independent Claim 35 has been amended to recite a hunting apparatus comprising a support structure and at least one caddy for supporting a weapon mounted on the support structure, wherein the at least one caddy comprises a mounting bracket structured and arranged for mounting on a support structure, a base member slidably mounted on the mounting bracket, a coupling between the mounting bracket and the base member which permits both sliding and rotating movement between the mounting bracket and base member, and a cradle member mounted on the base member and structured and arranged for supporting the weapon.

Dependent Claims 37, 42 and 43 have been canceled.

Amended independent Claims 1 and 35 recite a single coupling between the mounting bracket and the base member which permits both sliding and rotating movement therebetween. Basis for the amended language of Claims 1 and 35 is provided in the specification, for example, at paragraphs [0019] and [0020]. An example of the recited rotating and sliding coupling is illustrated in Fig. 2.

In the Office Action, Claims 1-10, 13, 17-26, 35-39 and 41-45 were rejected under 35 U.S.C. § 102(e) as allegedly being anticipated by Peterson '708. Claim 12 was rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Peterson '708 in view of Flaherty '656. Claims 14 and 15 were rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Peterson '708 in view of Hancock '279. Claims 16, 27, 29, 33 and 34 were rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Peterson '708 in view

of Peterson '997. Claim 40 was rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Peterson '708 in view of Plummer '733.

Claims 1 and 11 were also rejected under 35 U.S.C. § 102(b) as allegedly being anticipated by Carrillo et al. '556.

Claims 27, 28, 30 and 31 were rejected under 35 U.S.C. § 102(b) as allegedly being anticipated by Hancock '279.

Claim 32 was rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Hancock '279 in view of Flaherty '656.

It is submitted that the claims, as amended, distinguish over the prior art of record. Amended independent Claim 1 recites a caddy for supporting a weapon comprising a mounting bracket, a base member and a cradle member, as well as a coupling between the mounting bracket and the base member which permits both sliding and rotating movement between the mounting bracket and the base member. This combination of features is not taught or suggested by the prior art of record.

As noted in the Office Action, Peterson '708 discloses a caddy comprising a mounting bracket (62, 38), a base member (64) and a cradle member (116-120, 50, 60). According to the Office Action, the mounting bracket is structured and arranged for mounting on a support structure (14), and the base member is slidably mounted on the mounting bracket.

As illustrated in Figs. 2 and 3 of Peterson '708, the base 62 is pivotally mounted on the bracket assembly 38 under the foot platform 14. The arm extension 34 can slidably extend from the base 62. A telescoping strut 116 is mounted on the arm extension 64. As shown most clearly in Fig. 2 of Peterson '708, by pivotally mounting the base 62 under the platform 14, a pivot axis 36 corresponding to a marksman's center of mass is provided which allows the weapon to be swung in response to the marksman's torso motions in pursuit of a target (see column 3, lines 43-59). Separate from the pivot location, another portion of the Peterson '708 apparatus permits a sliding movement, namely, between the base 62 and the extension 64. Thus, the mechanism of Peterson '708 is relatively complex and requires multiple adjustment points. A single rotating and sliding connection between the base 62 and the mounting bracket 38 is not taught or suggested.

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In contrast, amended Claim 1 recites a coupling between a mounting bracket and a base member which permits both sliding and rotating movement between the mounting bracket and the base member. No such coupling permitting such multiple types of movement is taught or suggested by Peterson '708. Accordingly, Claim 1, and the claims that depend therefrom, are patentable over Peterson '708.

As noted in the Office Action, Carrillo et al. '556 discloses a caddy comprising a mounting bracket (12), a base member (16) and a cradle member (10, 18, 20). According to the Office Action, the mounting bracket is structured and arranged for mounting on a support structure (14), and the base member is slidably mounted on the mounting bracket.

In contrast, amended independent Claim 1 recites a coupling between the mounting bracket and the base member which permits both sliding and rotating movement between the mounting bracket and the base member. Since no such coupling is taught or suggested by Carrillo et al. '556, Claim 1, and the claims that depend therefrom, are patentable thereover.

The remaining prior art of record does not remedy the above-noted deficiencies of Peterson '708 and Carrillo et al. '556.

Amended independent Claim 35 recites a hunting apparatus comprising a support structure and at least one caddy for supporting a weapon mounted on the support structure, wherein the at least one caddy comprises a mounting bracket, a base member and a cradle member, and further comprises a coupling between the mounting bracket and the base member which permits both sliding and rotating movement between the mounting bracket and the base member. As noted above in connection with Claim 1, such a coupling which permits both sliding and rotating movement is not taught or suggested by the prior art of record. Accordingly, Claim 35, and the claims that depend therefrom, are patentable over the prior art of record.

In view of the foregoing amendments and remarks, it is submitted that Claims 1, 3, 4, 7-18, 35, 36, 38, 39-41, 44 and 45 are patentable over the prior art of record. Accordingly, an early Notice of Allowance of this application is respectfully requested.

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In the event that any outstanding matters remain in connection with this application, the Examiner is invited to telephone the undersigned at (412) 263-4340 to discuss such matters.

Respectfully submitted,

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